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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,618	03/08/2001	Yevgeniy Eugene Shteyn	US018028	7682

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
MANNING, JOHN	
ART UNIT	**PAPER NUMBER**
2614	

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/802,618	SHTEYN, YEVGENIY EUGENE	
	Examiner	Art Unit	
	John Manning	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-12 and 14-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-12 and 14-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/8/01 and 7/29/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-12, 14-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finseth et al. (US Pat No 6,742,184) in view of Wehmeyer (US Pat No 6,169,543).

In regard to claim 1, the claimed limitation of a "data processing system for managing electronic content information under control of data representative of at least one activity scheduled in a user's calendar" is met by Figure 5. "FIG. 5 shows program guide screen 100A, which is displayed on television 66. The program guide of the present invention may alternatively be displayed on other types of display devices, such as on a liquid crystal display (LCD) panel. When a user presses the "guide" button on remote control 86, program guide screen 100A is displayed to a user. Program guide screen 100A includes a calendar image 102, date and time indicator 110, guide title 112, channel list 114, and program list 116 having program representations separate from and adjacent to the calendar image 102. Calendar 102 includes masks 104A-

104B, highlight bar 106, and data range indicator 108. Using arrow keys on remote control 86 to move a highlight bar through program list 116, a user is able to highlight and then select a particular program for viewing or to obtain additional information" (Col 13, Lines 14-28). Finseth fails to explicitly disclose the limitations of "a second input for receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from and independent of said electronic content information" and "a processor for managing said electronic content information in dependence on said at least one activity". Wehmeyer teaches the limitations of "a second input for receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from and independent of said electronic content information" and "a processor for managing said electronic content information in dependence on said at least one activity" so as to combine the integrate the user's scheduled activities and television scheduling into one system. "It is, therefore, desirable to integrate calendaring or scheduling function into an EPG. In other words, it would be desirable, for example, to allow a user to enter a reminder in the EPG, such as "call Mom", "Wife's birthday" or "pay bill" in a time period specified by a user as part of the EPG display. This is especially advantageous since a typical EPG is already being displayed in a time grid format" (Col 2, Lines 36-44; Also see: Col 3, Lines 65-67; Col 4, Lines 1-12; Col 13, Lines 11-50; Figure 5, 5A and 6). Consequently, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Finseth with "a second input for receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity

being separate from and independent of said electronic content information" and "a processor for managing said electronic content information in dependence on said at least one activity" for the stated advantage.

In regard to claim 2, Finseth et al. incorporates Application Ser. No. 09/535,235 entitled (Now US Pat No 6,754,906) "CATEGORICAL ELECTRONIC PROGRAM GUIDE," filed on same date herewith, by Philip E. Hsiao, Jeffrey A. Brown, and Craig A. Finseth, which meets the claimed limitation of "a control output for control of a data recording device for recording the electronic content." "Command style user-links are the second main type of user-links 122. These links cause something to happen other than the transferal of program guide information. For example, the user is able to instruct the receiver 64 (see FIG. 3) to tune to the correct channel of transmission, to activate a recording device 68, or to allow the user to place a reminder of an upcoming program. If a user selects automatic recording for an entry, receiver 64 instructs recording device 68 to start recording the desired program at the start of the program, and causes recording device 68 to end recording when the desired program is over. If a reminder is set, the receiver 64 would indicate to the user when the selected upcoming television program was being transmitted. Although these user-links 122 can be displayed as part of the invention categorical electronic program guide 90, the command style user-link can also be listed as choices in an operating menu 124 (shown in FIG. 9). The operating menu 124 is displayed by selecting a "menu" button on remote control 86" (Col 19, Lines 66-67; Col 20, Lines 1-17).

Claim 3 is met by that discussed for claim 1.

In regard to claim 5, the claimed limitation of "selecting specific content information based on a profile of the user" is met by Figure 4. "The selection history table is initially empty when receiver 64 is first purchased. Each time a user makes a program selection, CPU 74 adds the attributes for the selected program to the selection history table and links the attributes to the current user" (Col 12, Lines 60-64).

In regard to claim 6, it is noted that the examiner interprets the claim to be written in the alternative, such that the claim may be met by either "a preference regarding an attribute of the content information" or "a relative priority of the activity". The reference discloses "a preference regarding an attribute of the content information". "Attributes include information such as category descriptors that identify the type and category of program, credits information that identify the names and roles of those involved in the production of the program, and key words and phrases in the description of the program. Attributes also include indicators that the program is one of a particular series or that the program is one of a group of associated programs. For example, each episode of Star Trek, The Next Generation will have the same series indicator. The Star Trek movies, and various Star Trek series will all have the same group indicator, even if they are not part of one particular series" (Col 12, Lines 48-59).

Claim 7 is met by that discussed above for claim 2.

In regard to claim 8, the claimed limitation of "creating a GUI for presenting an overview of the specific content information available in a first time slot other than a second time slot associated with the scheduled activity" is met by Figure 14. Figure 14 show multiple time slots of the specific content, which also may be a scheduled activity.

In regard to claims 9 and 17, the reference fails to explicitly disclose dynamically adjusting the processing upon user interaction. The examiner takes Official Notice that it is notoriously well know in the art to dynamically adjusting the processing upon user interaction so as to the user to conveniently make changes to a system on the fly. Consequently, it would have been obvious to one of ordinary skill in the art to implement Finseth with dynamically adjusting the processing upon user interaction so as to the user to conveniently make changes to a system on the fly.

In regard to claim 10, the claimed limitation of "receiving electronic content information indicative of electronic content available to a user of the data processing system" is met by Figure 5. "FIG. 5 shows program guide screen 100A, which is displayed on television 66. The program guide of the present invention may alternatively be displayed on other types of display devices, such as on a liquid crystal display (LCD) panel. When a user presses the "guide" button on remote control 86, program guide screen 100A is displayed to a user. Program guide screen 100A includes a calendar image 102, date and time indicator 110, guide title 112, channel list 114, and program list 116 having program representations separate from and adjacent to the calendar image 102. Calendar 102 includes masks 104A-104B, highlight bar 106, and data range indicator 108. Using arrow keys on remote control 86 to move a highlight bar through program list 116, a user is able to highlight and then select a particular program for viewing or to obtain additional information" (Col 13, Lines 14-28). Finseth fails to explicitly disclose the limitations of "receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from,

and independent of said electronic content information" and "managing said electronic content information in dependence on said at least one activity". Wehmeyer teaches the limitations of "receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from, and independent of said electronic content information" and "managing said electronic content information in dependence on said at least one activity" so as to combine the integrate the user's scheduled activities and television scheduling into one system. "It is, therefore, desirable to integrate calendaring or scheduling function into an EPG. In other words, it would be desirable, for example, to allow a user to enter a reminder in the EPG, such as "call Mom", "Wife's birthday" or "pay bill" in a time period specified by a user as part of the EPG display. This is especially advantageous since a typical EPG is already being displayed in a time grid format" (Col 2, Lines 36-44; Also see: Col 3, Lines 65-67; Col 4, Lines 1-12; Col 13, Lines 11-50; Figure 5, 5A and 6). Consequently, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Finseth with "receiving data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from, and independent of said electronic content information" and "managing said electronic content information in dependence on said at least one activity" for the stated advantage.

In regard to claim 11, Finseth et al. incorporates Application Ser. No. 09/535,235 entitled (Now US Pat No 6,754,906) "CATEGORICAL ELECTRONIC PROGRAM GUIDE," filed on same date herewith, by Philip E. Hsiao, Jeffrey A. Brown, and Craig A. Finseth, which meets the claimed limitation of "the processing comprises recording the

electronic content." "Command style user-links are the second main type of user-links 122. These links cause something to happen other than the transferal of program guide information. For example, the user is able to instruct the receiver 64 (see FIG. 3) to tune to the correct channel of transmission, to activate a recording device 68, or to allow the user to place a reminder of an upcoming program. If a user selects automatic recording for an entry, receiver 64 instructs recording device 68 to start recording the desired program at the start of the program, and causes recording device 68 to end recording when the desired program is over. If a reminder is set, the receiver 64 would indicate to the user when the selected upcoming television program was being transmitted. Although these user-links 122 can be displayed as part of the invention categorical electronic program guide 90, the command style user-link can also be listed as choices in an operating menu 124 (shown in FIG. 9). The operating menu 124 is displayed by selecting a "menu" button on remote control 86" (Col 19, Lines 66-67; Col 20, Lines 1-17).

Claim 12 is met by that discussed above form claim 11.

In regard to claim 14, the claimed limitation of "selecting specific content information based on a profile of the user" is met by Figure 4. "The selection history table is initially empty when receiver 64 is first purchased. Each time a user makes a program selection, CPU 74 adds the attributes for the selected program to the selection history table and links the attributes to the current user" (Col 12, Lines 60-64).

In regard to claim 15, it is noted that the examiner interprets the claim to be written in the alternative, such that the claim may be met by either "a preference

regarding an attribute of the content information" or "a relative priority of the activity". The reference discloses "a preference regarding an attribute of the content information". "Attributes include information such as category descriptors that identify the type and category of program, credits information that identify the names and roles of those involved in the production of the program, and key words and phrases in the description of the program. Attributes also include indicators that the program is one of a particular series or that the program is one of a group of associated programs. For example, each episode of Star Trek, The Next Generation will have the same series indicator. The Star Trek movies, and various Star Trek series will all have the same group indicator, even if they are not part of one particular series" (Col 12, Lines 48-59).

In regard to claim 16, the claimed limitation of "creating a GUI for presenting an overview of the specific content information available in a first time slot other than a second time slot associated with the scheduled activity" is met by Figure 14. Figure 14 show multiple time slots of the specific content, which also may be a scheduled activity.

In regard to claim 18, the claimed limitation of "receive electronic content information indicative of electronic content available to a user of the data processing system" is met by Figure 5. "FIG. 5 shows program guide screen 100A, which is displayed on television 66. The program guide of the present invention may alternatively be displayed on other types of display devices, such as on a liquid crystal display (LCD) panel. When a user presses the "guide" button on remote control 86, program guide screen 100A is displayed to a user. Program guide screen 100A includes a calendar image 102, date and time indicator 110, guide title 112, channel list 114, and program

list 116 having program representations separate from and adjacent to the calendar image 102. Calendar 102 includes masks 104A-104B, highlight bar 106, and data range indicator 108. Using arrow keys on remote control 86 to move a highlight bar through program list 116, a user is able to highlight and then select a particular program for viewing or to obtain additional information" (Col 13, Lines 14-28). Finseth fails to explicitly disclose the limitations of "receive data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from, and independent of said electronic content information" and "manage said electronic content information in dependence on said at least one activity". Wehmeyer teaches the limitations of "receive data representative of at least one activity scheduled in a user's activity calendar, said at least one activity being separate from, and independent of said electronic content information" and "manage said electronic content information in dependence on said at least one activity" so as to combine the integrate the user's scheduled activities and television scheduling into one system. "It is, therefore, desirable to integrate calendaring or scheduling function into an EPG. In other words, it would be desirable, for example, to allow a user to enter a reminder in the EPG, such as "call Mom", "Wife's birthday" or "pay bill" in a time period specified by a user as part of the EPG display. This is especially advantageous since a typical EPG is already being displayed in a time grid format" (Col 2, Lines 36-44; Also see: Col 3, Lines 65-67; Col 4, Lines 1-12; Col 13, Lines 11-50; Figure 5, 5A and 6). Consequently, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Finseth with "receive data representative of at least one activity scheduled in a user's activity

calendar, said at least one activity being separate from, and independent of said electronic content information" and "manage said electronic content information in dependence on said at least one activity" for the stated advantage. The reference does not specifically note that software is use to implement the system. The reference discloses a CPU with memory, which make the use of software inherent.

In regard to claim 19, Finseth et al. incorporates Application Ser. No. 09/535,235 entitled (Now US Pat No 6,754,906) "CATEGORICAL ELECTRONIC PROGRAM GUIDE," filed on same date herewith, by Philip E. Hsiao, Jeffrey A. Brown, and Craig A. Finseth, which meets the claimed limitation of "the processing comprises recording the electronic content." "Command style user-links are the second main type of user-links 122. These links cause something to happen other than the transferal of program guide information. For example, the user is able to instruct the receiver 64 (see FIG. 3) to tune to the correct channel of transmission, to activate a recording device 68, or to allow the user to place a reminder of an upcoming program. If a user selects automatic recording for an entry, receiver 64 instructs recording device 68 to start recording the desired program at the start of the program, and causes recording device 68 to end recording when the desired program is over. If a reminder is set, the receiver 64 would indicate to the user when the selected upcoming television program was being transmitted. Although these user-links 122 can be displayed as part of the invention categorical electronic program guide 90, the command style user-link can also be listed as choices in an operating menu 124 (shown in FIG. 9). The operating menu 124 is displayed by

selecting a "menu" button on remote control 86" (Col 19, Lines 66-67; Col 20, Lines 1-17).

In regard to claim 21, the claimed limitation of "generating a GUI for presenting an overview of specific content information available in a time slot in harmony with the calendar" is met by Figure 14. Figure 14 show multiple time slots of the specific content, which also may be a scheduled activity.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Finseth et al. in view of Wehmeyer and further in view of Sezan et al. (US Pat No 6,236,395).

In regard to claim 20, aforementioned combined teaching fails to explicitly disclose "playing out at least part of the recorded content information so as to have the played out content information substantially fitting within an available time slot". Sezan teaches "playing out at least part of the recorded content information so as to have the played out content information substantially fitting within an available time slot" so as to provide the user with a condensed version of recorded content so as fit recorded material into the users schedule. "The selection of a particular program analysis technique depends on the amount of readily available data and the user preferences. For example, if a user prefers to watch a 5 minute video highlight of a particular program, such as a basketball game, the analysis module 42 may invoke a knowledge based system 90 (FIG. 3) to determine the highlights that form the best 5 minute summary." (Col 8, Lines 30-35). Consequently, it would have been obvious to one of ordinary skill in the art to modify the combined teaching with "playing out at least part of the recorded content information so as to have the played out content information

substantially fitting within an available time slot" so as to provide the user with a condensed version of recorded content so as fit recorded material into the users schedule.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM
November 11, 2005

JOHN MILLER
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